

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:
SANDRA MARIA DE FATIMA SEDA
BARLETTA
Debtors

CASE NO. 19-02177 MCF
CHAPTER 13

**REPLY TO MOTION TO DISMISS CASE FILED BY CREDITOR ISABEL DE LA
TORRE MACHADO AT DOCKET 45**

TO THE HONORABLE COURT:

COMES NOW, Debtor through the undersigned counsel and before this Court most respectfully states and prays:

1. Creditor Isabel de la Torre Machado has moved for dismissal of the case citing several issues which Debtor hereby addresses, to wit¹:

- a) Debtor states no time frame for sale of real property;
- b) Debtor has not informed any efforts to sell the real property;
- c) Debtor is currently in arrears with proposed payment plan;
- d) Debtor has not replied to Trustee's unfavorable report;

2. Debtor hereby submits that issues raised in creditor Isabel de la Torre's motion to dismiss have been or are addressed as follows:

a) Debtor has filed Amended Payment Plan dated 9/25/2020 which clearly sets forth time frame for the sale of real property, See Docket No. 52.

b) Debtor has continually kept efforts at selling the property which include hiring a realty broker, making repairs to increase marketability, showing the property to prospective buyers and seeking buyers from out of the Island. Debtor expects to reap the benefits of her actions in order to sell the property within the time line set forth in the amended plan at docket 52;

c) Debtor is current with amended plan dated 9/25/2020 payments;

d) Debtor has replied to Trustee's unfavorable report. Latest report on confirmation filed at docket 55 only sets forth two issues, which are a requested update of matters before the State Court

¹Docket No. 45

and the matter set forth in the motion to dismiss case herein being addressed.

3. In view of the amended payment plan dated 9/25/2020 currently before the Court, the case docket and discussion herein made, there is no cause for dismissal as alleged by Mrs. Isable de la Torre.

WHEREFORE, Debtor respectfully requests that this Court take note of the above mentioned in response to creditor Isabel de la Torre's motion to dismiss case filed at docket 45.

RESPECTFULLY SUBMITTED. In San Juan, Puerto Rico this 13th day of October, 2020.

I HEREBY CERTIFY: That a true copy of the instant motion has been forwarded via the Court electronic filing system to Chapter 13 Trustee at his registered address of record and all other parties participating in the CM/ECF system.

LANDRAU RIVERA & ASSOC.

Counsel for Debtor

P.O. BOX 270219

SAN JUAN, P.R. 00927-0219

TEL. 787-774-0224 / 787-273-7949

/s/ NOEMI LANDRAU RIVERA

USDC 215510

nlandrau@landraulaw.com

/s/ JOSUE A. LANDRAU RIVERA

USDC 226108

jlandrau@landraulaw.com